

REMARKS

Claims 1-8 were pending in this application. Claim 4 is canceled without prejudice. Claims 1-2 and 5-7 are amended. No new matter is being added. Claims 1-3 and 5-8 remain pending after the amendments.

The Examiner rejected claims 1, 3/1, 4, and 6-8 under 35 U.S.C. 102(b) as being anticipated by the Gaming Systems International (GSI) system installed in the River City riverboat casino in New Orleans. The Examiner provides support for the rejection by citing to a March 30, 1995 article in the Times-Picayune ("Let the Games Begin"); as well as to additional references indicated as being cumulative, including a declaration by Alistair Crighton, who declared that he built the system installed in the River City riverboat casino.

Claim 1 as amended recites:

In a system including a computer network communicatively coupling a plurality of casino properties, a computer implemented method for tracking patronage of a plurality of customers, each of the customers assigned an account, the method comprising:

- storing a portion less than the entirety of the customer accounts in each of a plurality of databases, each database associated with one of the casino properties and communicatively coupled to the network at the casino property;
- at each casino property, automatically collecting customer betting activity from customer gaming activity at gaming machines, and storing the collected customer betting activity in the database at the casino property;
- receiving at the database of a first casino property customer betting activity data from the database at a second casino property; and
- updating the customer's account in the database of the first casino property in response to the betting activity.

Claim 1 as amended clearly recites that each of a plurality of databases is associated with one of a plurality of casino properties, and that each database has stored upon it a portion less than the entirety of the customer accounts. The amendment addresses the Examiner's statement that "a portion" does not preclude "all" of the customer accounts. (Final Office Action, page 2.)

The references cited by the Examiner do not anticipate claim 1.

The “Let the Games Begin” article discloses nothing more than that the River City casino complex opened on a rainy Wednesday night, March 29th, 1995, and that the two riverboats involved, the Grand Palais and Crescent City Queen, had 50 gaming tables and 1100 slots, with a planned expansion to 1225 slots.

The player club system used by River City is described more fully by its designer, Alistair Crighton, in his deposition given in the *Harrah’s Entertainment, Inc. v. Station Casinos, Inc.* litigation, which was cited by the Examiner. Crighton states:

And the thing that was, again, a little unique for us there is we built a system that allowed all of this data between the two boats and the dockside to be maintained in a mirror type, is the term, you know, where all the databases keep the same information or keep up to it. And there were several databases involved.

(Crighton deposition, pp. 21-22) (emphasis added). Accordingly, while the River City system provided only a database mirroring function, the claimed invention in contrast maintains only a portion less than the entirety of customer accounts on each database, which is antithetical to the notion of mirroring, since each database includes a different set of data. Therefore, the River City system does not anticipate claim 1.

Independent claims 2, 5, 6 and 7 are also amended to recite “a portion less than the entirety of customer accounts,” and are patentable over the River City system for at least the same reasons as claim 1, as are their dependent claims 3 and 8.

The Examiner also rejected claims 1-8 under 35 U.S.C. 103(a) as being obvious in view of the combination of River City and the background summary and Remedio. The addition of the background summary and Remedio do nothing to cure the defects of the River City system – the combination of the references still disclose only the mirroring of data across databases, and thus fail for the reasons described above with respect to the River City system.

Accordingly, the rejection of claims 1-3 and 5-8 should now be withdrawn.

The Examiner is invited to contact the undersigned attorney by telephone to discuss any outstanding matters requiring attention prior to allowance.

Respectfully submitted,
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